



HAMRA LAW GROUP, PC.

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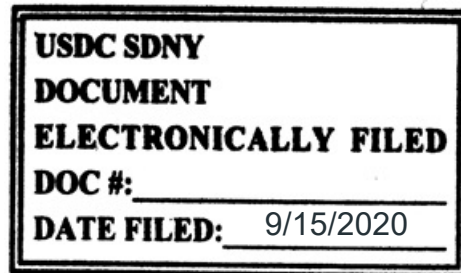
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September 14, 2020

VIA ECF

The Honorable Robert W. Lehrburger
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312
Courtroom 18D



Re: ***Galindo Garcia et al v. John Doe Corp. et al***
1:18-cv-06165-ALC-RWL

Dear Judge Robert W. Lehrburger:

This office represents Defendants in the above captioned matter. We write to the Court today to provide the Court with a status update of the case in accordance with the Court's September 9th, 2020 Order. (Dkt No. 67) ordering the parties to submit a joint letter outlining to the Court the status of the case and the status of settlement discussions.

The advent of the COVID-19 pandemic has put an immense strain on the restaurant industry in the City of New York. As of today, restaurants will only be allowed to have 25% of capacity on September 30th, 2020 according to the guidance outlined below. This leaves many of Manhattan's restaurants with a difficult financial outlook due to the fact that many operate on small square footage footprints.

GUIDANCE SNAPSHOT



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Businesses that offer indoor dining must strictly adhere to the State-issued guidance.
Here's a snapshot of the detailed guidance:

- 25 percent occupancy limit
- Temperature checks will be required at the door for all customers
- One member of each party will be required to provide contact information for tracing if needed
- No bar service - bars will only be used as a source of making drinks and serving them tableside
- Masks must be worn at all times when not seated at a table
- Tables must be six feet apart
- Restaurants close at midnight
- Restaurants should operate with enhanced air filtration, ventilation and purification standards
- Limit air recirculation and allow for outside air ventilation
- Outdoor dining will continue in the interim

The State is also developing a COVID-SAFE restaurant standard which will assure New Yorkers of COVID-safety and sanitation practices at restaurants.

Source: <https://forward.ny.gov/nyc-indoor-dining>

The parties have been in intense negotiations over the past few months as we have tried to determine the long term repercussions of this pandemic on Defendant's operations. Given the guidance from New York State regarding social distancing guidelines, it appears that NYC restaurants will be continuing to operate on a limited capacity for the foreseeable future. As such, the parties have negotiated a structured settlement over twelve months to allow my client's business to continue to operate during this arduous time while settling the matter in principle.



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The parties respectfully request 45 days to put together a draft settlement agreement to submit to the Court for approval.

SO ORDERED:

9/15/2020

HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Sincerely,

Anthony R. Portesy Esq.